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Date: February 4, 2004
To: Examiner Holy Schnizer
Commissioner for Patents
Fax No: 703-308-4242
From: Heidi A. Dare
Tel. No: 312-321-4809
Client No: 10402

No. of Pages
(inc. this page): 17

Confirmation Copy To Follow: Yes ☐ No ☒

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COVER MESSAGE:

Please see attached transmittal letter and amendment.

A Professional Corporation
Intellectual Property Attorneys

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Chicago, Illinois 60611-5599
Facsimile 312-321-4299
Telephone 312-321-4200

San Jose, CA
Indianapolis, IN
Ann Arbor, MI
Arlington, VA

TRANSMITTAL LETTER			Case No. 10402/15 Client Ref. No. U-3253
Serial No. 10/003.352	Filing Date November 1, 2001	Examiner Holy Schnizer	Group Art Unit 1653
Inventor(s) Christof Westenfelder			
Title of Invention METHOD OF USE OF ERYTHROPOIETIN TO TREAT ISCHEMIC ACUTE RENAL FAILURE			

TO THE COMMISSIONER FOR PATENTS

Transmitted herewith are Transmittal Letter (in duplicate); and Amendment.

- ☒ Small entity status of this application under 37 CFR § 1.27 has been established by verified statement previously submitted.
- ☐ Applicant claims small entity status. See 37 CFR 1.27.
- ☐ Petition for a _____ month extension of time.
- ☒ No additional fee is required.
- ☐ The fee has been calculated as shown below:

				Small Entity		or	Other Than Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	Rate	Add'l Fee
Total		Minus			x \$9=		x \$18=	
Indep.		Minus			x \$42=		x \$84=	
First Presentation of Multiple Dep. Claim					+\$140=		+\$280=	
				Total add'l fee	\$		Total add'l fee	\$

- ☐ Please charge Deposit Account No. 23-1925 (BRINKS HOFER GILSON & LIONE) in the amount of \$_____. A duplicate copy of this sheet is enclosed.
- ☐ A check in the amount of \$_____ to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this communication or credit any overpayment to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.
- ☒ I hereby petition under 37 CFR § 1.136(a) for any extension of time required to ensure that this paper is timely filed. Please charge any associated fees which have not otherwise been paid to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Heidi A. Dare
 Heidi A. Dare
 Registration No. 50,775
 Attorney for Applicant
 Customer No. 00757 - Brinks Hofer Gilson Lione

BRINKS HOFER GILSON & LIONE
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I hereby certify that this correspondence is being deposited via facsimile no. 703/308-4242 to:
 Examiner Holy Schnizer, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on February 4, 2004.

Date: February 4, 2004

Signature: Heidi A. Dare

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Heidi A. Dare, Reg. No. 50,775

Name of applicant, assignee or
Registered Representative

Registered Representative
Herich A. Dore

Signature

February 4, 2004

Date of Signature

Our Case No. 10402/15
U-3253

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Christof Westenfelder

Serial No. 10/003,352

Filing Date: November 1, 2001

For METHOD OF USE OF
ERYTHROPOIETIN TO TREAT
ISCHEMIC ACUTE RENAL
FAILURE

Examiner Holly Schnizer

Group Art Unit No. 1653

AMENDMENT

Via Facsimile No. 703/308-4242
Commissioner for Patents
Alexandria, VA 22313-1450

Dear Sir,

In response to the Office Action Dated December 12, 2003, Applicant requests entry of the following amendment and remarks:

Amendments to the **Claims** are reflected in the listing of the claims which begins on page 3 of this paper.

Application Serial No. 10/003,352
Response filed February 4, 2004

Remarks begin on page 6 of this paper.

An **Appendix** including a Katz Declaration and page 24 of the application are attached following page 11 of this paper.